

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**STIPULATION BY AND BETWEEN THE CITY OF DETROIT,
MICHIGAN AND CLAIMANTS ABRAHAM GREER AND
SANDRA GREER REGARDING CLAIM NUMBER 1064**

The City of Detroit, Michigan (“City”) and Abraham Greer, on his own behalf (“Abraham”) and on behalf of the estate of Sandra Greer (“Sandra”; and with Abraham, the “Greers”; and the Greers and the City collectively, the “Parties”), stipulate and agree as follows:

1. On February 18, 2014, attorney Jan Jeffrey Rubinstein filed a proof of claim on behalf of the Greers asserting a general unsecured claim in the amount of \$1,500,000 and it was assigned claim number 1064 (“Claim”).

2. On October 22, 2014, this City filed its *Eighth Amended Plan for the Adjustment of Debts of the City of Detroit* [Doc. No. 8045] (“Plan”).

3. On November 12, 2014, this Court entered an order confirming the Plan with modifications. [Doc. No. 8272]. Capitalized terms used but not otherwise defined in this Stipulation have the meanings ascribed to them in the Plan.

4. On October 7, 2016, the Greers filed a lawsuit against the City in the Third Judicial Circuit Court in Wayne County, Michigan, captioned *Greer v. City of Detroit-Water and Sewerage Department*, Case No. 16-012832 (the “State Court Case”).

5. After confirmation of the Plan, Sandra passed away and Abraham became the representative of her estate.

6. The Parties have discussed the Claim and the State Court Case and have reached a consensual resolution regarding them.

7. The Parties agree that in full and final satisfaction of the Claim, the Claim should be allowed under the Plan as a Class 14 Other Unsecured Claim in the amount of \$2,000,000. The Parties further agree that the Claim should be listed on the claims register in Abraham’s name alone

8. Upon entry of an order by this Court approving this Stipulation, the Greers, on their own behalf and on behalf of their past, present, and future agents, legal representatives, attorneys, heirs, affiliates, predecessors, successors, and assigns release and forever discharge the City and the City’s Water and Sewerage Department and their respective past, present, and future affiliates, agents, attorneys, directors, officers, employees, insurers, representatives, trustees, divisions, affiliated entities, predecessors, successors, and assigns from and against any and all claims, actions, causes of action, demands, liabilities, lawsuits, obligations, setoffs,

defenses, counterclaims, debts, injunctions, or sums of money (including without limitation attorneys' fees and costs) under Michigan or federal law, and any other claim(s) whatsoever, whether common law, statutory, regulatory, contractual or extra contractual, whether known or unknown, alleged or unalleged, vested or contingent, which the Greers now have, may have, or which may hereafter accrue in law or in equity including all known and unknown, foreseen and unforeseen, developed and undeveloped injuries and damage and the consequences thereof on account of or in any way growing out of, relating to, concerning or resulting from the allegations that were or could have been made in the State Court Case; *provided, however*, that this release does not include the Claim to be allowed as a result of this Stipulation.

9. Within ten business days of entry of an order by this Court approving this Stipulation, the Greers must file papers with the Third Judicial Circuit Court in Wayne County, Michigan causing the State Court Case to be dismissed with prejudice.

NOW, THEREFORE, the Parties request that the Court enter the Order attached as Exhibit 1.

STIPULATED AND AGREED TO ON NOVEMBER 5, 2021.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.	THE RUBINSTEIN LAW FIRM
By: <u>/s/ Marc N. Swanson</u> Marc N. Swanson (P71149) Ronald A. Spinner (P73198) 150 West Jefferson, Suite 2500 Detroit, Michigan 48226 Phone: (313) 496-6420 Facsimile: (313) 496-8451 swansonm@millercanfield.com	By: <u>/s/ Jan Jeffrey Rubinstein</u> Jan Jeffrey Rubinstein (P57937) 30665 Northwestern Hwy Suite 165 Farmington Hills, MI 48334 Phone: (248) 220-1415 Fax: (248) 213-6394 jjr@therubinsteinfirm.com
Counsel for the City of Detroit, Michigan	Attorney for the Greers

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

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**ORDER APPROVING STIPULATION BY AND BETWEEN THE CITY OF
DETROIT, MICHIGAN AND CLAIMANTS ABRAHAM GREER AND
SANDRA GREER REGARDING CLAIM NUMBER 1064**

This matter having come before the Court on the *Stipulation by and Between the City of Detroit, Michigan and Claimants Abraham Greer and Sandra Greer Regarding Claim Number 1064* (the “Stipulation”);¹ the Court having reviewed the Stipulation and being otherwise apprised of the matter; and there being good cause; NOW THEREFORE IT IS HEREBY ORDERED THAT:

1. In full and final satisfaction of claim number 1064, claim number 1064 is allowed under the Plan as a Class 14 Other Unsecured Claim in the amount of \$2,000,000 to be listed in the name of Abraham Greer.
2. The release in paragraph 8 of the Stipulation is approved and is binding upon entry of this Order.

¹ Capitalized terms not otherwise defined in this Order have the meanings ascribed to them in the Stipulation.

3. Within ten business days of entry of this Order, the Greers must file papers with the Third Judicial Circuit Court in Wayne County, Michigan causing the State Court Case to be dismissed with prejudice.

4. The City's claims agent is authorized to update the claims register to effect the relief granted by this Order.